

ORDINANCE NO. 8, Series 1950

AN ORDINANCE TO AMEND SECTIONS 2 AND 3 OF ARTICLE II AND SECTIONS 1, 5, and 9 OF ARTICLE III OF AN ACT BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF OREGON ENTITLED "AN ACT TO INCORPORATE THE TOWN OF ELGIN IN UNION COUNTY, STATE OF OREGON," FILED IN THE OFFICE OF THE SECRETARY OF STATE FEBRUARY 18, 1891, AS AMENDED BY SUBSEQUENT ACTS: PROVIDING FOR A SPECIAL ELECTION, AND DECLARING AN EMERGENCY.

THE PEOPLE OF THE CITY OF ELGIN DO ORDAIN AS FOLLOWS:

Section 1. That Section 2 of Article II of an Act of the Legislative Assembly of the State of Oregon entitled "an Act to Incorporate the Town of Elgin in Union County, State of Oregon," filed in the office of the Secretary of State February 18, 1891, as amended, be and the same hereby is amended so as to read as follows:

Section 2. There shall be elected at each biennial election, for the term of two years, a mayor, and for a term of four years, three councilmen. The mayor and said councilmen and their successors in office shall be elected at large by the qualified voters of the city of Elgin. The councilmen shall hold an annual meeting in January of each year, and at such meeting shall appoint a city recorder, a treasurer, chief of police, chief of fire department, chief of water and street department, city attorney, and such employees as the council may deem necessary. The council may require any officer or employee to perform the duties of two or more offices without additional compensation. The tenure of such officers and employees shall be at the pleasure of the city council and such officers and employees may be removed by the council at any time, with or without cause.

Section 2. That section 3 of Article II of said Act of the legislative assembly be and the same hereby is amended to read as follows:

Section 3. No person shall be eligible to the office of mayor or councilman in the municipal corporation who, at the time of his election, is not entitled to the privileges of an elector according to the laws of this state and who has not resided in the city of Elgin for ninety days next preceding the election.

Section 3. That Section 1 of Article III of said Act of the legislative assembly be and the same hereby is amended so as to read as follows:

Section 1. Regular city elections shall be held at the same time and place as regular state elections in accordance with the general state election laws applicable thereto. The election officers and precincts for such elections shall be the same as for regular state elections.

Section 4. That Section 5 of Article III of said Act of the legislative assembly be and the same hereby is amended so as to read as follows:

Section 5. All general elections shall commence at the same time as specified by the laws of the State of Oregon for general elections and continue until the time fixed by said laws of the State of Oregon for closing the polls, and all special elections called by the city council under the provisions of this charter shall commence at nine o'clock in the morning and continue until five o'clock in the evening. Election rpecincts in this city shall be the same as the precincts for state elections and said elections shall in all matters be conducted as provided by the state laws.

Section 5. That Section 9 of Article III of said act of the legislative assembly be and the same is hereby amended so as to read as follows:

Section 9. The term of office of every person elected under this act shall commence on the 2nd day of January following the regular election and terminate when his successor is election or appointed and qualified. The term of office of every person appointed to office under this act shall commence on the day after his appointment and terminate when ordered by the council or when his successor is appointed and qualified, provided that the mayor and councilmen now in office and all other persons heretofore elected prior to the time of taking effect of this amendment.

Section 6. That said amendment shall go into effect five days from and after its adoption by a majority of the legal votes cast thereon at the general election to be held in the City of Elgin, Union County, Oregon, on the 7th day of November 1950.

Section 7. That the judges and clerks of election serving the general election to be held in the city of Elgin, Union County, Oregon, on the 7th day of November, 1950, shall be the judges and clerks of said election hereby called for the purpose of voting upon the adoption of said amendment.

Section 8. That the city recorder shall post notices calling said election in five public places within the city of Elgin more than thirty days preceding the date of the general election to be held within said city and shall publish said notice in the Elgin Recorder, a newspaper of general circulation printed and published in the city of Elgin, once a week for four consecutive weeks, beginning with the issue of October 5, 1950.

Section 9. That the city recorder shall prepare and have printed necessary ballots for use at said election to present the following question, towit:

Shall sections 2 and 3 of Article II and sections 1, 5 and 9 of Article III of the Act of the legislative assembly of the State of Oregon entitled "An Act to Incorporate the Town of Elgin in Union County, State of Oregon," be amended so as to provide for the election of a mayor and councilmen and the appointment of all other officers and employees of said city?

500 _____ Yes, I vote for the proposed amendment.

501 _____ No, I vote against the proposed amendment.

Section 10. Inasmuch as it is necessary for the peace and quiet of the city of Elgin that said amendment be adopted at the next general election, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage by the council and approval by the mayor.

Passed and adopted this 1st day of October, 1950.

Approved this 1st day of October, 1950.

ATTEST:

Mayor

City Recorder